

Applicant : G Laurie Miller et al.  
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Attorney's Docket No.: 05542-528001 / 008252/CMP

## REMARKS

### I. Introduction

Applicant and Applicant's representative would like to thank Examiner Schindler for the indication of allowance of claim 58.

In response to the Office Action dated March 24, 2006, Applicant has amended claims 1, 12, 19 and 52-54. No new matter has been added.

For the reasons set forth below, Applicant respectfully submits that all pending claims are patentable over the cited prior art references.

### II. Telephonic Interview

In an effort to expedite prosecution, Applicant's representative initiated a telephone interview with Examiner Schindler on May 3, 2006.

Applicant and Applicant's representative would like to thank Examiner Schindler for his courtesy and professionalism in conducting the telephonic interview and for his generous assistance in resolving issues.

Examiner Schindler requested that the arguments be presented in a formal response, at which point he would withdraw the pending rejections. Also, Examiner Schindler tentatively agreed to consider the enclosed amendment to independent claims 1 and 12, which is submitted to place the application in clear and immediate condition for allowance for reasons already made of record in Applicant's previous response dated December 27, 2005.

### III. The Rejection Of Claims 1-22 and 54-57 Under 35 U.S.C. § 112, First Paragraph

Claims 1-22 and 54-57 are rejected under 35 U.S.C. 112, first paragraph, because the previous amendment to these claims includes new matter.

Specifically, with respect to claim 1, the Examiner asserts that "the upward extension of the one or more protrusions from the back portion of the core does not appear to have the extent as the length of the core (see, page 2, item #4)," and therefore concludes that the rejected claims contain subject matter that was not previously disclosed in the original disclosure. Applicant respectfully disagrees.

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As discussed during the interview, claims 1 and 12 did not recite any "upward extension." Rather, the rejected claims only required the one or more protrusions to have the same extent as the length of the core. In other words, the foregoing limitation presented a structural feature in which the length of the one or more protrusions is the same as the length of the core. This structure is evidently shown, for example in Fig. 6B.

As shown, the length of the core 600 has a dimensional length of "L". Similarly, each protrusion (in shaded color) also has a identical length. That is, both the length of the core 600 and the length of the protrusion have the same dimensional extent. Further description with respect to the structure of the core and its protrusion(s) can be found, for example, in paragraphs [0057]-[0064] of the specification.

Thus, Applicant respectfully submits that the claimed feature "at least one of the one or more protrusions having a same extent as the length [of the core]" is supported by the instant disclosure.

Nonetheless, in an effort to expedite prosecution to gain favor in obtaining immediate allowance, Applicant has amended claims 1 and 12 to recite "at least one of the one or more protrusions and the core having a common length along an axis of the length of the core." The amended feature recites that the one or more protrusions and the core both have a common length along the axis of the core's length.

It should be noted that these amendments are made merely to assist the Examiner in understanding the claimed subject matter, and are not made to overcome any references cited in prior office action. Also, it should be noted that the previously presented and now amended claims 1 and 12 recite similar subject matter in scope. Thus, Applicant believes no additional search is required.

Accordingly, for these reasons, Applicant respectfully submits that one of skill in the art would readily understand the scope of the claims when read in light of the specification, and as repeatedly stated by the Federal Circuit, nothing more is required. "If the claims read in light of the specification reasonably apprise those skilled in the art of the scope of the invention, 112 demands no more." *Credle v. Bond*, 25 F.3d 1556, 30 USPQ2d 1911 (Fed. Cir. 1994).

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**IV. The Rejection Of Claims 54-57 and 59 Under 35 U.S.C. § 112, Second Paragraph**

Claims 54-57 and 59 are rejected under 35 U.S.C. 112, second paragraph. Specifically, the Examiner asserts that the claimed limitation "the polishing surface has a circular shape, and the length of the elongated core is parallel to a radius of the polishing surface (see, page 3, item #7)" is unclear, pointing out that "a radial vector that extends from the center of the polishing surface toward reference number (1040) would not be parallel with the length of the elongated core."

However, as discussed during the telephonic interview and acknowledged by the Examiner, while a circular polishing surface may contain many radial vectors extending from the center to the outer periphery of the polishing surface, Applicant respectfully submits that not all of the radial vectors are parallel to the length of a core.

For example, referring to Fig. 10B of the specification, at position 1012, the length of the core 1010 is parallel to the radius of the polishing surface 1020 or wafer 1030 at  $r = r_2$ . However, this length of the core 1010 is clearly not parallel to the radius at  $r = r_1$  or  $r = R$ .

Nonetheless, in an effort to advance prosecution and to assist the Examiner in understanding the claimed subject matter, Applicant has amended claim 54 to recite that the "platen is rotatable about an axis of rotation, and the length of the elongated core is parallel to a radius of the platen that extends from the axis of rotation through the core." Similarly, Applicant has amended claim 56 to recite that "the length of the elongated core is parallel to a radius of the platen that extends from the axis of rotation through the core."

Applicant respectfully submits that the claimed radius as recited in claims 54 and 56 is a radius that extends from an axis of rotation of the platen through the core.

For at least the foregoing reasons, Applicant respectfully submits that the subject matter recited in claims 54-57 commensurate in scope with Applicant's specification, and one of the ordinary skill in the art would readily understand, appreciate and be able to practice the present invention.

With respect to claim 59, this claim recites that the first axis is substantially parallel to a radius perpendicular to and extending from the axis of rotation. In the pending rejection, the Examiner has not identified why this claim is indefinite. Accordingly, it is difficult for the

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Applicant to provide any explanation without knowing the underlying reason for rejecting this claim.

At any rate, this claim defines a radius that is perpendicular to and extending from an axis of rotation. The platen rotates about this axis of rotation. Further, this claim defines a first axis, where the core has a length along the first axis. Applicant respectfully submits that these features are illustrated, for example, in Figs. 10A and 10B.

Referring to Fig. 10A, an axis of rotation can be established by extending an axis through the center of the platen 1020. As illustrated by the unmarked arrow (right-hand lower corner) in Fig. 10A, the platen 1020 rotates around this axis of rotation. A radius can then be drawn from this axis of rotation to the outer periphery of the platen. While numerous radius can be extended from this axis of rotation to the outer periphery of the platen, Applicant respectfully submits that claim 59 specifies a particular radius; namely one that is parallel to an axis on which the length of the core is laid.

Based upon the foregoing, it should be apparent that one having ordinary skill in the art would have no difficulty practicing the claimed invention armed with the supporting specification. Applicant respectfully requests that the rejection of claims 54-57 and 59 under the second paragraph of 35 U.S.C. §112 be withdrawn.

V. **All Dependent Claims Are Allowable Because The Independent Claims From Which They Depend Are Allowable**

Under Federal Circuit guidelines, a dependent claim is neither anticipated nor rendered obvious if the independent claim upon which it depends is allowable because all the limitations of the independent claim are contained in the dependent claims, *Hartness International Inc. v. Simplimatic Engineering Co.*, 819 F.2d at 1100, 1108 (Fed. Cir. 1987). Accordingly, as independent claims 1 and 12 are patentable for the reasons set forth above, it is respectfully submitted that all claims dependent thereon are also in condition for allowance.

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## VI. Conclusion

By responding in the foregoing remarks only to particular positions taken by the Examiner, the Applicant does not acquiesce with other positions that have not been explicitly addressed. In addition, Applicant's arguments for the patentability of a claim should not be understood as implying that no other reasons for the patentability of that claim exist.

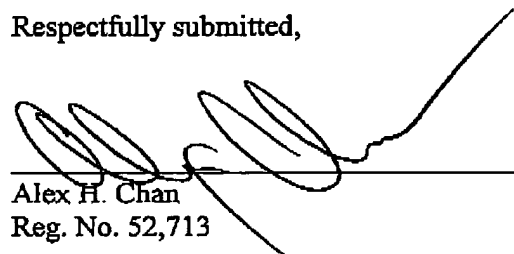
For all of the reasons set forth above, it is urged that the application is in condition for allowance, an indication of which is respectfully solicited.

If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicant's attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 06-1050 and please credit any excess fees to such deposit account.

Respectfully submitted,

Date: May 22, 2006

  
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